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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 KEITH KEMP,

8 *Plaintiff,*

9 vs.

10 HOWARD SKOLNIK, *et al.*

11 *Defendants.*  
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2:09-cv-02002-PMP-LRL  
(Base File)

ORDER

14 Plaintiff's motions (## 37 & 38) for a preliminary injunction and for a temporary  
15 restraining order (TRO) are DENIED. Under Rule 65(a)(1) of the Federal Rules of Civil  
16 Procedure, a preliminary injunction may issue only upon notice to the adverse party. Under  
17 Rule 65(b)(1), a TRO may issue without notice only if specific facts demonstrate that the  
18 moving party will suffer irreparable injury before the adverse party can be heard or the movant  
19 certifies the efforts to give notice and the reasons why notice is not required. Plaintiff satisfied  
20 none of these conditions. He instead attached a "certificate of service" showing "service" of  
21 the motion only upon the Clerk and himself. Plaintiff is not constitutionally entitled to legal  
22 assistance or advice, from this Court or anyone else, specifically on how to file an amended  
23 complaint in a consolidated action. All that he need do is file a single amended pleading  
24 setting forth all of his claims that is properly captioned for the consolidated action.

25 DATED: December 29, 2010.  
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PHILIP M. PRO  
United States District Judge